UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,265	01/19/2000	Toshiki Mori	826.1587/JDH	2955

21171   7590   01/30/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-27*.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) _____.

10. ☐ Other: _____.

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Continuation of 5. does NOT place the application in condition for allowance because: Oliver does disclose the ratio information through the EV analyzer program in the computer in col. 8, lines 21-29. Here, Oliver discloses that the percent complete information can be determined and displayed. This percent complete information represents the ratio of persons who have completed the respectively assigned parts of the job. The applicant also argues that Oliver does not dsclose the receipt of a reply message of each of a plurality of receivers who do job in a group, and obtains information indicating whether the assigned part of the job had been completed or that the control unit of the message processing apparatus calculates a ratio of receivers who completed the respectively assigned parts of the job to all of the plurality of receivers of the message who do the the job. However, Oliver does disclose the previously mentioned limitations since Oliver discloses the receipt of a reply message in Col. 9, lines 1-9. Here, Oliver discloses that the operator of the system may click on the screen to display a determined response [reply message] such as percent complete, which indicates the percentage of the project that has been completed [assigned part of the job had been completed], based on the ratio of earned value to the total project baseline. Since the percentage completed is based on the ratio of earned value to the total project baseline, this ratio represents the ratio of completed assigned parts of the job by the receivers. The applicant also argues that Oliver fails to disclose a message being sent to a person assigned a job and the person responding with the completion state of the job. However, the message is represented by Col. 7, lines 61-62 where initial presentation of EV information is made after task data is obtained. After this is done , Oliver shows that responses such as the percent complete is determined in col. 9, lines 1-9 which also represents the job completion messages. In addition, the reply-confirmation button in Nakaoka in combination with the message limitation of Oliver discloses the limitations of claim 4. In addition, the Beck identifier represents preventing or limiting a transfer since it is not possible to transfer data without accessing it .